

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,

Plaintiff,

:

Case No. 3:13-mj-143

-vs-

Magistrate Judge Michael R. Merz

:

JOSE LAIZ,

Defendant.

REMOVAL AND DETENTION ORDER

This case came on for identity and detention hearings at 1:30 p.m. on Friday, April 19, 2013. Defendant, represented by counsel, voluntarily and intelligently waived his right to hearings on both issues. Based on that waiver, the Court finds:

1. Defendant is the person named in the Indictment returned in the Western District of Tennessee in that Court's Case No. 1:13-cr-10032 and is hereby ORDERED removed to that Court to answer the charges made in the Indictment; and
2. Based on the Indictment, there is probable cause to believe Defendant committed the offenses charged therein. The nature of the offenses and the maximum penalties prescribed by law give raise to a presumption under the Bail Reform Act that Defendant should be detained.

The Government's Motion to detain is GRANTED.

Accordingly, it is hereby ORDERED that:

- 1) the Defendant be committed to the custody of the Attorney General of the United States for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or

serving sentences or being held in custody pending appeal;

2) the Defendant be afforded reasonable opportunity for private consultation with counsel; and

3) on order of a court of the United States or on request of an attorney for the United States, the person in charge of the facility in which the Defendant is confined deliver the Defendant to a United States Marshal or his deputy for the purpose of an appearance in connection with a court proceeding.

April 19, 2013.

s/ *Michael R. Merz*
United States Magistrate Judge